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			ART UNIT 2144	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/812,532	Applicant(s) ZHU, WEIWEN	
	Examiner SAEED S. MIRZADEGAN	Art Unit 2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 and 23-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 23-29 is/are rejected.
- 7) ☒ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 30-37 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 January 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This office action is in response to Applicant's amendment filed 1/17/2008.
Claims 1-11 and 23-37 are pending.
2. Applicant's Amendments (see Amendments to Drawings and specifications filed 17 January 2008) have been fully considered and are accepted for the purpose of correcting the typographical errors and to offer clarification. No new matter has been introduced.
3. Applicant's arguments with respect to claims 1-11 and 23-37 have been considered but are moot in view of the following new ground(s) of rejection.

Election/Restrictions

4. Newly submitted claims 30-37 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Applicant claim among other limitations, "a translation server; ... mapping by translation server ... sending by translation server" as recited in the newly added claim 30, as well as "a digital management swap server,... requesting ...from the digital management swap server, ... receiving ...from digital management swap server". These functional limitations are partially directed to mapping and translation of the secured content and licenses, was not originally claimed invention.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for

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prosecution on the merits. Accordingly, claims 30-37 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Claim Objections

5. Claims 1, 9 and 23 are objected to because of the following informalities:
 6. Claims 1, 9 and 23 recite the phrase or limitation "operable" in numerous places. The phrase or limitation "operable" should be replaced with "configured".
 7. Any claim not specifically addressed above, is being objected to as incorporating the deficiencies of a claim upon which it depends.
- Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

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1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's own Admitted Prior Art (APA) in view of Grow et al. (Grow) US PG Pub. No. 2004/0019693, and further in view of Panasyuk et al. (Panasyuk) US PG Pub. No. 2003/0163569.

9. Regarding Claim 1, APA discloses a system comprising: a client component operable on the device to use a first content according to a first digital rights management protocol (see e.g. Fig. 1, Client 12 utilizing ORDL protocol); a first content server operable to receive a request for the first content and to provide a first rights statement and the first content for use by the client component according to the first protocol (see e.g. Fig. 1, Content Server 16 utilizing ORDL protocol to provide the rights statement as well as the content); a second content server operable to receive a request for a second content and to provide a second rights statement and the second content according to a second digital rights management protocol (see e.g. Fig. 1, Server 22 utilizing XrML protocol to provide content as well as rights statement). However, APA does not explicitly teach: a device operable for presentation of content; a mediation component in communication with the client component and the second content server, the mediation component operable to receive requests in the first digital

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rights management protocol from the client component for the second content, map the request for the second content to the second digital rights management protocol, send the mapped requests to the second content server for use by the second content server, and receive the second rights statement and the second content from the second server in the second digital rights management protocol, map the second digital rights statement and the second content to the first digital rights management protocol, and send the mapped second rights statement and the mapped second content to the client for use by the client component according to the mapped second rights statement.

10. In the same field of endeavor, Grow teaches (see e.g. Page 2, ¶¶0016, TIE; transformation and exchange infrastructure) mediation component.

11. It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Grow's teachings as discussed above with the teachings of APA, for the purpose of providing a system, software, and method for data connectivity and integration that facilitates fast and accurate transformation and exchange of data among plurality of entities, sources or applications. (see Grow, ¶¶ 0010 lines 2-5). APA provides motivation to do so (see APA, page 2, ¶¶0007).

12. In the same field of endeavor, Panasyuk teaches (see e.g. Page 1, ¶¶0018, lines 1-6) a device operable for presentation of content.

13. It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Panasyuk's teachings as discussed above with the teachings of APA, for the purpose of authenticating a client to a content server for secure delivery of content (see Panasyuk, ¶ 0008). APA provides motivation to do so (see APA, page 2, ¶0007).

14. Regarding Claim 2, APA, Grow and Panasyuk disclose the invention substantially as claimed. APA further discloses a first license server in communication with the mediation component and operable to receive a request for a first license and to provide the first license for the client component to use the first content (see e.g. Fig. 1, ORDL license server 14). However APA does not explicitly teach the mediation component and the first license server to receive a first usage report in accordance with the first digital rights management protocol.

15. In the same field of endeavor, Grow teaches (see e.g. Page 2, ¶0016, TIE; transformation and exchange infrastructure) mediation component, (see e.g. Page 7, ¶0078, lines 14-16, reporting mechanism).

16. It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Grow's teachings as discussed above with the teachings of APA, for the purpose of providing a system, software, and method for data connectivity and integration that facilitates fast and accurate

transformation and exchange of data among plurality of entities, sources or applications. (see Grow, ¶ 0010 lines 2-5). APA provides motivation to do so (see APA, page 2, ¶0007).

17. Regarding Claim 3, APA, Grow and Panasyuk disclose the invention substantially as claimed. APA further discloses a second license server in communication with the mediation component and operable to receive a request for a second license and to provide the second license for the client component to use the second content, (see e.g. Fig. 1, XrML license server 20). However APA does not explicitly teach the mediation component and the second license server to receive a second usage report in accordance with the second digital rights management protocol.

18. In the same field of endeavor, Grow teaches (see e.g. Page 2, ¶0016, TIE; transformation and exchange infrastructure) mediation component, (see e.g. Page 7, ¶0078, lines 14-16, reporting mechanism).

19. It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Grow's teachings as discussed above with the teachings of APA, for the purpose of providing a system, software, and method for data connectivity and integration that facilitates fast and accurate transformation and exchange of data among plurality of entities, sources or applications.

(see Grow, ¶ 0010 lines 2-5). APA provides motivation to do so (see APA, page 2, ¶0007).

20. Regarding Claim 4, APA, Grow and Panasyuk disclose the invention substantially as claimed. However APA does not explicitly teach the mediation component.

21. In the same field of endeavor, Grow teaches (see e.g. Page 2, ¶0016, TIE; transformation and exchange infrastructure) mediation component.

22. It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Grow's teachings as discussed above with the teachings of APA, for the purpose of providing a system, software, and method for data connectivity and integration that facilitates fast and accurate transformation and exchange of data among plurality of entities, sources or applications. (see Grow, ¶ 0010 lines 2-5). APA provides motivation to do so (see APA, page 2, ¶0007).

23. Regarding Claim 5, APA, Grow and Panasyuk disclose the invention substantially as claimed. APA further discloses the first digital rights management protocol is the extensible right markup language (see e.g. Fig. 1, XrML Protocol) and

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the second digital rights management protocol is the open digital rights language (see e.g. Fig. 1, ORDL Protocol).

24. Regarding Claim 6, APA, Grow and Panasyuk disclose the invention substantially as claimed. However APA does not explicitly teach a wireless device.

25. In the same field of endeavor, Panasyuk teaches (see e.g. Page 2, ¶0018, lines 1-6, Fig. 2, 202).

26. It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Panasyuk's teachings as discussed above with the teachings of APA, Grow for the purpose of authenticating a client to a content server for secure delivery of content (see Panasyuk, ¶0008). APA provides motivation to do so (see APA, page 2, ¶0007).

27. Regarding Claim 7, APA, Grow and Panasyuk disclose the invention substantially as claimed. However APA does not explicitly teach at least a portion of communication between the mediation component and the device is accomplished wirelessly.

28. In the same field of endeavor, Panasyuk teaches (see e.g. Page 3, ¶0034, lines 1-5, Fig. 2, 202) wireless communication.

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29. It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Panasyuk's teachings as discussed above with the teachings of APA, Grow for the purpose of authenticating a client to a content server for secure delivery of content (see Panasyuk, ¶ 0008). APA provides motivation to do so (see APA, page 2, ¶0007).

30. Regarding Claim 8, APA, Grow and Panasyuk disclose the invention substantially as claimed. However APA does not explicitly teach the first content and the second content are further defined to be selected from the group comprising text, audio, video, music, audio/video, and encrypted contents.

31. In the same field of endeavor, Grow teaches (see e.g. Page 2, ¶0016, TIE; transformation and exchange infrastructure, mediation component which transforms any source using any protocol & (see e.g. Page 9, ¶0098 & ¶0099).

32. It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Grow's teachings as discussed above with the teachings of APA, for the purpose of providing a system, software, and method for data connectivity and integration that facilitates fast and accurate transformation and exchange of data among plurality of entities, sources or applications. (see Grow, ¶ 0010 lines 2-5). APA provides motivation to do so (see APA, page 2, ¶0007).

- 33. Regarding Claim 9, all the limitations have been addressed above.
- 34. Regarding Claim 10, all the limitations have been addressed above.
- 35. Regarding Claim 11, all the limitations have been addressed above.
- 36. Regarding Claim 27, all the limitations have been addressed above.
- 37. Regarding Claim 28, all the limitations have been addressed above.
- 38. Regarding Claim 29, all the limitations have been addressed above.

Claim Rejections - 35 USC § 103

- 39. Claims 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over APA in view of Grow in view of Panasyuk and further in view of Guck (Guck), US Pat. No. 5848415.
- 40. Regarding Claim 23 APA, Grow and Panasyuk disclose the invention substantially as claimed. However, APA, Grow, Panasyuk do not explicitly teach: a multi-protocol content server in communication with the first and second client components and operable to receive a first request for content from the first client component according to the first digital rights management protocol and to return the

content to the first client component according to the first digital rights management protocol, the multi-protocol content server further operable to receive a second request for the content from the second client component according to the second digital rights management protocol and to return the content to the second client component according to the second digital rights management protocol.

41. In the same field of endeavor, Guck teaches (see e.g. Fig. 1, 50, col. 2, lines 28-29 & lines 37-40, & col. 13, lines 11-17) Multi protocol content server in communication with various clients classifier.

42. It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Guck's teachings as discussed above with the teachings of APA, Grow, Panasyuk for the purpose of providing content to users with differing protocols and format requests (see Guck, col. 4, lines 34-44). APA provides motivation to do so (see APA, page 2, ¶0007).

43. Regarding Claim 24, APA, Grow, Panasyuk and Guck disclose the invention substantially as claimed. APA further discloses a first license server operable to receive a request for a first license associated with the content in the first digital rights management protocol and to return the first license in accordance with the first digital rights management protocol (see e.g. Fig. 1, ORDL license server 14); and a second license server operable to receive a request for a second license associated with the

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content in the second digital rights management protocol and to return the second license in accordance with the second digital rights management protocol (see e.g. Fig. 1, XrML license server 20).

44. Regarding Claim 25, APA, Grow, Panasyuk and Guck disclose the invention substantially as claimed. However APA does not explicitly disclose the first and the second digital rights management protocols are selected from the group comprising open data rights language, extensible right markup language, Sony digital rights management, and Apple Computer digital rights management protocols.

45. In the same field of endeavor, Grow teaches (see e.g. Page 2, ¶0016, TIE; transformation and exchange infrastructure, mediation component which transforms any source using any protocol & (see e.g. Page 9, ¶0098 & ¶0099).

46. It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Grow's teachings as discussed above with the teachings of APA, Grow, Panasyuk for the purpose of providing a system, software, and method for data connectivity and integration that facilitates fast and accurate transformation and exchange of data among plurality of entities, sources or applications. (see Grow, ¶ 0010 lines 2-5). APA provides motivation to do so (see APA, page 2, ¶0007).

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47. Regarding Claim 26, APA, Grow, Panasyuk and Guck disclose the invention substantially as claimed. However APA does not explicitly disclose the content is selected from the group consisting of text, audio, video, music, audio/video, and encrypted contents (see e.g. Page 2, ¶0024, lines 1-3) audio/video content.

48. In the same field of endeavor, Grow teaches (see e.g. Page 2, ¶0016, TIE; transformation and exchange infrastructure, mediation component which transforms any source using any protocol & (see e.g. Page 9, ¶0098 & ¶0099).

49. It would have been obvious to one of ordinary skill in the networking art at the time the applicant's invention was made to combine Grow's teachings as discussed above with the teachings of APA, for the purpose of providing a system, software, and method for data connectivity and integration that facilitates fast and accurate transformation and exchange of data among plurality of entities, sources or applications. (see Grow, ¶ 0010 lines 2-5). APA provides motivation to do so (see APA, page 2, ¶0007).

Prior Art of Record

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to form PTO-892 (Notice of Reference Cited) for a list of relevant prior art.

Conclusion

50. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAEED S. MIRZADEGAN whose telephone number is (571)270-3044. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. S. M./

Examiner, Art Unit 2144

/William C. Vaughn, Jr./

Supervisory Patent Examiner, Art Unit 2144